

BOARD OF REGISTERED NURSING
P.O. Box 944210, Sacramento, CA, 94244-2100
P (916) 322-3350 | www.rn.ca.gov
Louise Bailey, M.Ed., RN, Executive Officer



LEGISLATIVE COMMITTEE MEETING

AGENDA

**Hilton San Diego Mission Valley
901 Camino del Rio South
San Diego, CA 92108
Phone: 1.619.543.9000**

January 5, 2011

Wednesday, January 5, 2011 – 2:30 pm – 3:30 pm

7.0 Review and Approve Minutes:

➤ November 16, 2010

7.1 2009-2010 Goals and Objectives: Summary of Accomplishments

7.2 2009-2010 Legislative Session Summary

7.3 2011-2012 Goals and Objectives for the two year Legislative Session

7.4 Positions on Bills of Interest to the Board, and any other Bills of Interest to the Board introduced during the 2011-2012 Legislative Session.

7.5 Public Comment for Items Not on the Agenda

NOTICE:

All times are approximate and subject to change. Items may be taken out of order to maintain a quorum, accommodate a speaker, or for convenience. The meeting may be canceled without notice. For verification of the meeting, call (916) 574-7600 or access the Board's Web Site at <http://www.rn.ca.gov>. Action may be taken on any item listed on this agenda, including information only items.

Public comments will be taken on agenda items at the time the item is heard. Total time allocated for public comment may be limited.

The meeting is accessible to the physically disabled. A person who needs a disability-related accommodation or modification in order to participate in the meeting may make a request by contacting the Administration Unit at (916) 574-7600 or email webmasterbrn@dca.ca.gov or send a written request to the Board of Registered Nursing Office at 1625 North Market #N-217, Sacramento, CA 95834. (Hearing impaired: California Relay Service: TDD phone # (916) 322-1700). Providing your request at least five (5) business days before the meeting will help to ensure the availability of the requested accommodation.

Board members who are not members of this committee may attend meetings as observers only, and may not participate or vote. Action may be taken on any item listed on this agenda, including information only items. Items may be taken out of order for convenience, to accommodate speakers, or maintain a quorum.

BOARD OF REGISTERED NURSING
P.O. Box 944210, Sacramento, CA, 94244-2100
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Louise Bailey, M.Ed., RN, Interim Executive Officer



**BOARD OF REGISTERED NURSING
LEGISLATIVE COMMITTEE
MEETING MINUTES**

DRAFT

DATE: November 16, 2010
TIME: 2:30 pm
LOCATION: Department of General Services
Elihu Harris State Building
1515 Clay Street
Oakland, CA 94612

MEMBERS PRESENT: Kathrine Ware, Chair

STAFF PRESENT: Louise Bailey, Interim Executive Officer

The meeting was called to order at 2:30 pm by the chairperson.

- 8.0 Review and Approve Minutes
➤ September 22, 2010

The minutes were tabled until the next committee meeting for approval.

- 8.1 Adopt/Modify Positions on Bills of Interest to the Board

AB 867	Nava: California State University: Doctor of Nursing degree pilot program Committee Position: <i>Support</i> Bill Status: <i>Chaptered (416)</i>
AB 1937	Fletcher: Pupil Health: immunizations Committee Position: <i>Support</i> Bill Status: <i>Chaptered (203)</i>
AB 2302	Fong: Postsecondary Education: student transfer Committee Position: <i>Watch</i> Bill Status: <i>Chaptered (427)</i>

AB 2344 Nielson: Nursing: approved schools
Committee Position: *Support*
Bill Status: *Chaptered (208)*

AB 2385 Perez: Pilot Program for Accelerated Nursing and Allied Health Care Profession
Education at the California Community Colleges
Committee Position: *Watch*
Bill Status: *Chaptered (679)*

AB 2500 Hagman: Professions and Vocations: licenses: military services
Committee Position: *Support*
Bill Status: *Chaptered (389)*

AB 2699 Bass: Healing Arts: licensure exemption
Committee Position: *No Recommendation*
Bill Status: *Chaptered (270)*

AB 2783 Committee on Veterans Affairs: Professions and Vocations: military personnel
Committee Position: *Watch*
Bill Status: *Chaptered (214)*

SB 294 Negrete McLeod: Department of Consumer Affairs: regulatory boards
Committee Position: *Oppose*
Bill Status: *Chaptered (695)*

SB 1119 Wright: Health Care Staffing
Committee Position: *Oppose unless amended*
Bill Status: *Vetoed*

SB 1172 Negrete McLeod: Regulatory Boards: diversion programs
Committee Position: *Watch*
Bill Status: *Chaptered (517)*

SB 1440 Padilla: California Community Colleges: student transfers
Committee Position: *Support*
Bill Status: *Chaptered (428)*

8.2 PUBLIC COMMENT FOR ITEMS NOT ON THE AGENDA

No Comments

The meeting was adjourned at 3:00 pm.

Submitted by: _____
Louise Bailey, M.Ed., RN, Interim Executive Officer

Approved by: _____
Kathrine Ware, Chair



**BOARD OF REGISTERED NURSING
LEGISLATIVE COMMITTEE
MEETING MINUTES**

DRAFT

DATE: September 22, 2010

TIME: 2:00 pm

LOCATION: Hilton San Diego Mission Valley
901 Camino del Rio South
San Diego, CA 92108

MEMBERS PRESENT: Dian Harrison, Chair
Erin Niemela

STAFF PRESENT: Louise Bailey, Interim Executive Officer

The meeting was called to order at 2:00 pm by the chairperson.

- 8.0 Review and Approve Minutes
➤ July 26, 2010

The minutes of July 26, 2010 were approved.

- 8.1 Adopt/Modify Positions on Bills of Interest to the Board

AB 867 Nava: California State University: Doctor of Nursing degree pilot program
Committee Position: *Support*
Bill Status: *Enrollment*

AB 1937 Fletcher: Pupil Health: immunizations
Committee Position: *Support*
Bill Status: *Chaptered 203*

AB 2302 Fong: Postsecondary Education: student transfer
Committee Position: *Watch*
Bill Status: *Enrollment*

AB 2344	Nielson: Nursing: approved schools Committee Position: <i>Support</i> Bill Status: <i>Chaptered 208</i>
AB 2385	Perez: Pilot Program for Accelerated Nursing and Allied Health Care Profession Education at the California Community Colleges Committee Position: <i>Watch</i> Bill Status: <i>Enrollment</i>
AB 2500	Hagman: Professions and Vocations: licenses: military services Committee Position: <i>Support</i> Bill Status: <i>Enrollment</i>
AB 2699	Bass: Healing Arts: licensure exemption Committee Position: <i>No Recommendation</i> Bill Status: <i>Enrollment</i>
AB 2783	Committee on Veterans Affairs: Professions and Vocations: military personnel Committee Position: <i>Watch</i> Bill Status: <i>Chaptered 214</i>
SB 294	Negrete McLeod: Department of Consumer Affairs: regulatory boards Committee Position: <i>Oppose</i> Bill Status: <i>Enrollment</i>
SB 1119	Wright: Health Care Staffing Committee Position: <i>Oppose unless amended</i> Bill Status: <i>Enrollment</i>
SB 1172	Negrete McLeod: Regulatory Boards: diversion programs Committee Position: <i>Watch</i> Bill Status: <i>Enrollment</i>
SB 1440	Padilla: California Community Colleges: student transfers Committee Position: <i>Support</i> Bill Status: <i>Enrollment</i>

8.2 PUBLIC COMMENT FOR ITEMS NOT ON THE AGENDA

No Comments

The meeting was adjourned at 3:00 pm.

Submitted by: _____
Louise Bailey, M.Ed., RN, Interim Executive Officer

Approved by: _____
Dian Harrison, Chair

BOARD OF REGISTERED NURSING
Legislative Committee
Agenda Item Summary

AGENDA ITEM: 7.1

DATE: January 5, 2011

ACTION REQUESTED: 2009-2010 Goals and Objectives: Summary of Accomplishments

REQUESTED BY: Louise Bailey, MEd, RN
Executive Officer

BACKGROUND:

A summary of the 2009-2010 Goals and Objectives: Summary of Accomplishments has been compiled for review.

NEXT STEP: Place on Board Agenda

**FINANCIAL
IMPLICATIONS,
IF ANY:**

None

PERSON TO CONTACT: Louise Bailey, MEd, RN
Executive Officer
(916) 574-7600

BOARD OF REGISTERED NURSING LEGISLATIVE COMMITTEE

Goals and Objectives 2009-2010 Summary of Accomplishments

GOAL 1: **Keep the Board of Registered Nursing informed about pertinent legislation and regulations that may affect nursing practice, education, and nurses' roles in the delivery of health care and administrative functions of the Board.**

OBJECTIVE: 1.1 Analyze legislative proposals and make position recommendations to the Board at each Board meeting.

The committee provided information and analyses of each bill followed, and made recommendations to the Board at each Board meeting.

During the 2009/2010 Legislative Session, many bills of general interest to the Board or those having potential impact on the administration of the Board were followed. Although these bills address many subjects, each affects registered nursing in some way. There were fifty-five (55) bills followed by the Board, seventeen (17) were signed into law by the Governor, six (6) were vetoed and thirty-two (32) failed in committees or were no longer applicable to the Board.

GOAL 2: **Monitor current legislation on behalf of the Board.**

OBJECTIVE: 2.1 Advocate for or against legislation as directed by the Board.

The committee monitored legislative bills relative to the Board and committee staff advocated for bills supported by the Board and voiced the concerns of the Board for those bills in opposition.

- Committee staff continued to respond to public inquires concerning bills followed by the Board.
- Numerous legislative Committee hearings, concerning bills followed by the Board, were attended.

OBJECTIVE: 2.2 Review and suggest appropriate amendments as necessary.

The committee staff participated in recommending and writing amendments to specific bills relative to Board action.

- Committee staff attended legislative meetings and communicated with legislator's staff to articulate the Board's position on specific bills.

- Committee staff sent letters to various senators and assembly members expressing the Board's position of support or opposition to their respective bills.
- The Governor was sent letters requesting that specific bills, relative to the Board of Registered Nursing and consistent with Board's action, be signed or vetoed.

GOAL 3: Serve as a resource to other Board Committees on legislative and regulatory matters.

OBJECTIVE: 3.1 Assist other Board Committees in reviewing legislative regulatory proposals.

The committee staff served as a resource to other Board Committee members and committee liaisons concerning legislative issues that impacted their respective committees. The following are examples of issues and projects on which the Committee staff collaborated with other committees and/or staff:

- Cosmetic Surgery (Carter) - Nursing practice Committee
- Pupil Health Fletcher) – Nursing Practice
- Postsecondary Education (Fuller) – Education/Licensing Committee
- California State University: Doctor of Nursing Practice degree pilot program – Education/Licensing Committee
- Postsecondary Education: student transfer – Education/Licensing Committee
- Pilot Program for Innovative Nursing and Allied Health Care – Licensing /Education Committee
- Professions and Vocations: license: military service – Education/Licensing Committee
- California Community Colleges: student transfers – Education/Licensing Committee
- Licensing Boards: disciplinary action – Diversion/Discipline Committee
- Regulatory Boards: diversion programs – Diversion/Discipline Committee
- Department of Consumer Affairs: regulatory boards – Administrative Committee

GOAL 4: Enhance the Board's process to proactively identify legislation that potentially impacts nursing and the Board.

OBJECTIVE: 4.1 Evaluate additional resources, e.g. Internet, new legislative publications, etc., as sources of pertinent legislative information.

Staff utilized the California Legislative Information maintained by the Legislative Council on the Internet, as well as State Net. Legislative publications from various associations, and state publications, were also used as resources for legislative activities.

OBJECTIVE: 4.2 Maintain consistent dialogues with Department of Consumer Affairs (DCA) Legislative Unit, Legislators and their staff.

The committee was proactive in identifying and monitoring legislation relative to the Board.

- Committee staff communicated frequently and regularly with DCA Legislative staff to identify proposed legislation and its potential impact on the BRN.
- Committee staff met and communicated frequently with organizations, and sponsors of legislation to articulate and clarify issues relative to the BRN.
- Committee staff met with the Associate Degree Nursing Program Directors and the Baccalaureate Degree Nursing Program Directors and presented proposed legislation that impacted the programs.
- Committee communicated with other state departments, relative to legislation impacting the BRN.

BOARD OF REGISTERED NURSING
Legislative Committee
Agenda Item Summary

AGENDA ITEM: 7.2

DATE: January 5, 2011

ACTION REQUESTED: 2009-2010 Legislative Session Summary

REQUESTED BY: Louise Bailey, MEd, RN
Executive Officer

BACKGROUND:

A summary of the 2009-2010 Legislative Session has been compiled for review.

NEXT STEP: Place on Board Agenda

**FINANCIAL
IMPLICATIONS,
IF ANY:**

None

PERSON TO CONTACT: Louise Bailey, MEd, RN
Executive Officer
(916) 574-7600

**BOARD OF REGISTERED NURSING
LEGISLATIVE COMMITTEE**

2009-2010 Legislative Summary

During the 2009-2010 Legislative Session, many bills of general interest to the Board or those having potential impact on the administration of the Board were followed. Although these bills address many subjects, each affects registered nursing in some way. There were fifty-five (55) bills followed by the Board, seventeen (17) were signed into law by the Governor, six (6) were vetoed and thirty-two (32) failed in committees or were no longer applicable to the Board. The following is a brief description of the chaptered bills followed by the Board. Unless otherwise stated, the statutes of 2009 became effective January 1, 2010, and the statutes of 2010 became effective January 1, 2011.

AB 48 (Portantino & Niello)
Chapter 310, Statutes of 2009
Private postsecondary education: DCA

AB 48 revises and recasts the Private Postsecondary and Vocational Education Reform Act of 1989 into the California Private Postsecondary Education Act of 2009, provides for the transition to the bureau for the Private Postsecondary Education, outlines its responsibilities, provides for the approval, regulation, and enforcement of private postsecondary educational institutions, establishes reporting requirements, and repeals the Act on January 1, 2016.

AB 116 (Carter)
Chapter 509, Statutes of 2009
Cosmetic Surgery

AB 116 enacts the Donda West Law, which prohibits the performance of an elective cosmetic surgery procedure on a patient unless, within 30 days prior to the procedure, the patient has received an appropriate physical examination by, and has received written clearance for the procedure from, a licensed physician and surgeon, a certified nurse practitioner, or a licensed physician assistant, as specified, or, as applied to an elective facial cosmetic surgery procedure, a licensed dentist or licensed physician and surgeon. It requires the physical examination to include the taking of an appropriate medical history, to be confirmed on the day of the procedure.

AB 867 (Nava)**Chapter 416, Statutes of 2010****California State University: Doctor of Nursing degree pilot program**

AB867 permits the California State University to establish a Doctor of Nursing Practice degree program at campuses chosen by the Board of Trustees to award the Doctor of Nursing Practice degree. The enrollment is limited to no more than 90 full-time students at all three campuses combined. It requires the California State University, the Legislative Analyst's Office, and the Department of Finance to jointly conduct a statewide evaluation of the degree pilot program and report the results to the Legislature and the Governor on or before January 1, 2017.

AB 1071 (Emmerson)**Chapter 270, Statutes of 2009****Professions and Vocations**

AB 1071 amends, adds, and repeals sections of the Business and Professions Code, relating to professions and vocations. It provides Sunset extensions for several boards, including the Board of Registered Nursing. The Board of Registered Nursing will sunset January 1, 2013.

AB 1295 (Fuller)**Chapter 283, Statutes of 2009****Postsecondary education: nursing degree programs**

AB 1295 requires the Chancellor of the California State University to implement articulated nursing degree transfer pathways between the California Community Colleges and CSU prior to the commencement of the 2012–13 academic year. It requires the articulated nursing degree transfer pathways to meet prescribed requirements and authorizes the Chancellor of the California State University and the Chancellor of the California Community Colleges to appoint representatives from their respective institutions to work collaboratively to provide advice and assistance relating to prescribed topics. It also requires the Legislative Analyst's Office, by March 15, 2011, to prepare and submit to the Legislature and Governor a report on the status of plans to implement the articulated nursing degree transfer pathways.

AB 1937 (Fletcher)**Chapter (203), Statutes of 2010****Pupil Health: immunizations**

AB 1937 authorizes registered nurses, nurse practitioners, physician assistants, licensed

vocational nurses and student nurses (under the supervision of a registered nurse) to administer immunizations within the course of a school immunization program. The provisions take effect immediately as an urgency statute.

AB 2344 (Nielson)
Chapter (208), Statutes of 2010
Nursing: approved schools

AB 2344 provides for a school, seeking approval to start a nursing program, which is not an institution of higher education, to make an agreement with an "institution of higher education" that grants an associate of arts degree or an associate of science degree.

AB 2385 (Perez)
Chapter (679), Statutes of 2010
Pilot Program for Innovative Nursing and Allied Health Care Profession
Education at the California Community Colleges

AB 2385 establishes the Pilot Program for Innovative Nursing and Allied Health Care Profession Education at the California Community Colleges under the administration of the Office of the Chancellor of the California Community Colleges, to facilitate the graduation of community college nursing and allied health students by piloting innovative models to expand the state's capacity to prepare a qualified health care workforce.

AB 2500 (Hagman)
Chapter 389, Statutes of 2010
Professions and Vocations: licenses: military services

AB 2500 waives the penalty fee for late renewal of any type of state license, for any profession subject to regulation by any board, bureau, or entity within the Department of Consumer Affairs for a member of the California National Guard or the United States Armed Forces, who was on active duty at the time of the lapse of the license.

AB 2699 (Bass)
Chaptered (270), Statutes of 2010
Healing Arts: licensure exemption

AB 2699 exempts out-of-state licensed healthcare practitioners from California licensure requirements, until January 1, 2014, when participating in a free healthcare event

sponsored by an approved nonprofit organization. It requires the sponsoring entity and all participating out-of-state healthcare practitioners to meet specified requirements, and register in advance with the appropriate licensing board and comply with California law during the event.

AB 2783 (Committee on Veterans Affairs)
Chaptered (214), Statutes of 2010
Professions and Vocations: military personnel

AB 2783 requires state boards to consult with the Military Department before adopting rules and regulations related to the education, training, and experience obtained in the armed services and how it can meet licensure requirements for occupations and professions licensed and regulated under the Department of Consumer Affairs.

SB 112 (Oropeza)
Chapter 559, Statutes of 2009
Hemodialysis Technicians

SB112 revises the training requirements for certified hemodialysis technicians (CHT) and prohibits an individual from providing services as a hemodialysis technician without being certified by the Department of Public Health as a CHT. It requires the individual to meet certain educational and work requirements, including the successful completion of a training program approved by the medical director and governing body of a hemodialysis clinic or unit, under the direction of a registered nurse.

SB 294 (Negrete McLeod)
Chaptered (695), Statutes of 2010
Department of Consumer Affairs: regulatory boards

SB 294 changes the sunset review date on various boards, bureaus, and programs within the Department of Consumer Affairs, including the Board of Registered Nursing. The sunset date for the BRN is **January 1, 2013** instead of **January 1, 2012**.

SB 819 (Committee on Business, Professions, and Economic Development)
Chapter 308, Statutes of 2009
Professions and vocations

SB 819 requires a petition by a registered nurse whose initial license application is subject to a disciplinary decision to be filed after a specified time period from the date upon which his or her initial license was issued.

It also authorizes the implementation of standardized procedures that expand the duties of a nurse practitioner in the scope of his or her practice, as follows:

- Order durable medical equipment, subject to any limitations set forth in the standardize procedure.
- Certify a disability, after performance of a physical examination and collaboration with a physician.
- Approve, sign, modify, or add to a plan of treatment or plan of care, for individuals receiving home health services or personal care services, after consultation with the treating physician.

**SB 1172 (Negrete McLeod),
Chaptered (517), Statutes of 2010
Regulatory Boards: diversion programs**

SB 1172 requires a healing arts board to order a licensee to cease practice if the licensee tests positive for any prohibited substance under the terms of the licensee's probation or diversion program. It also authorizes a board to adopt regulations authorizing it to order a licensee on probation or in a diversion program to cease practice for major violations of probation or the diversion program, when the board orders a licensee to undergo a clinical diagnostic evaluation. The Diversion Program, within the Board of Registered Nursing, is exempt from these provisions.

**SB 1440 (Padilla)
Chapter (428), Statutes of 2010
California Community Colleges: student transfers**

SB 1440 enacts the Student Transfer Achievement Reform Act, commencing with the 2011–12 academic year. It requires a student that earns an associate degree for transfer to be deemed eligible for transfer into a California State University baccalaureate program when the student meets prescribed requirements. It requires the California State University to guarantee admission with junior status to any community college student who meets the requirements for the associate degree for transfer.

BOARD OF REGISTERED NURSING
Legislative Committee
Agenda Item Summary

AGENDA ITEM: 7.3
DATE: January 5, 2011

ACTION REQUESTED: 2011-2012 Goals and Objectives for the two year Legislative Session.

REQUESTED BY: Louise Bailey, MEd, RN
Executive Officer

BACKGROUND:
The 2011-2012 Goals and Objectives of the Legislative Committee are being submitted for review and approval.

NEXT STEP: Place on Board Agenda

**FINANCIAL
IMPLICATIONS,
IF ANY:** None

PERSON TO CONTACT: Louise Bailey, MEd, RN
Executive Officer
(916) 574-7600

**BOARD OF REGISTERED NURSING
LEGISLATIVE COMMITTEE**

2011-2012 Goals and Objectives

GOAL 1:	Keep the Board of Registered Nursing informed about pertinent legislation that may affect nursing practice, education, nurses' roles in the delivery of health care and administrative functions of the Board.
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OBJECTIVE: 1.1	Analyze legislative proposals and make position recommendations to the Board at each Board meeting.
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GOAL 2:	Monitor current legislation on behalf of the Board.
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OBJECTIVE: 2.1	Advocate for or against legislation as directed by the Board.
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OBJECTIVE: 2.2	Review and suggest appropriate amendments as necessary.
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GOAL 3:	Serve as a resource to other Board Committees on legislative and regulatory matters.
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OBJECTIVE: 3.1	Assist other Board Committees in reviewing legislative and regulatory proposals.
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GOAL 4:	Enhance the Board's process to proactively identify legislation that potentially impacts nursing and the Board.
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OBJECTIVE: 4.1	Evaluate resources, e.g. Internet, new legislative publications, etc., as sources of pertinent legislative information.
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OBJECTIVE: 4.2	Maintain consistent dialogue with DCA legislative unit, legislators and their staff.
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OBJECTIVE 4.3	<u>Provide testimony to the Legislature, on behalf of the Board, as requested.</u>
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BOARD OF REGISTERED NURSING
Legislative Committee
Agenda Item Summary

AGENDA ITEM: 7.4
DATE: January 5, 2011

ACTION REQUESTED: Positions on Bills of Interest to the Board, and any other Bills of Interest to the Board introduced during the 2011-2012 Legislative Session.

REQUESTED BY: Louise Bailey, MEd, RN
Executive Officer

BACKGROUND:

<u>Assembly Bills</u>	<u>Senate Bills</u>
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NEXT STEP: Place on Board Agenda

**FINANCIAL IMPLICATIONS,
IF ANY:** None

PERSON TO CONTACT: Louise Bailey, MEd, RN
Executive Officer
(916) 574-7600